

COPY

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Attorneys for Plaintiff, Mavrix Photo, Inc.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MAVRIX PHOTO, INC., a Florida
corporation,

Plaintiff,

v.

BUZZ MEDIA, INC.;
WWW.HOLLYWOODTUNA.COM, a
business form unknown;
WWW.WWTDD.COM, a business form
unknown; WWW.CELEBSLAM.COM, a
business form unknown;
WWW.THESUPERFICIAL.COM, a
business form unknown; and DOES 1-10
INCLUSIVE,

Defendants.

Case No. **CV 11-01910** OPN (PLA)
COMPLAINT FOR:
(1) COPYRIGHT INFRINGEMENT
OF FERGIE IMAGES; AND
(2) BREACH OF CONTRACT

DEMAND FOR JURY TRIAL

Mavrix Photo, Inc. ("Mavrix"), by and through their attorneys of record, complains
against Buzz Media, Inc., www.hollywoodtuna.com, www.wwtdd.com,
www.celebslam.com, www.thesuperficial.com, and DOES 1 through 10 (collectively,
"Defendants") as follows:

JURISDICTION AND VENUE

1
2
3 1. This is a civil action against Defendants for copyright infringement in breach
4 of the United States Copyright Act, 17 U.S.C. §§ 101 *et seq.* This Court has subject matter
5 jurisdiction over the copyright infringement under 28 U.S.C. § 1331, 17 U.S.C. § 501(a),
6 and 28 U.S.C. § 1338(a) and (b). The Court has supplemental jurisdiction over the state
7 law breach of contract claim under 28 U.S.C. § 1367.

8 2. Venue is proper in this District under 28 U.S.C. §§ 1391(b) and (c) and 28
9 U.S.C. § 1400(a) in that the claim arises in this Judicial District, the Defendants may be
10 found and transact business in this Judicial District and the Agreement at issue specifies
11 venue in this District. Defendants are subject to the general and specific personal
12 jurisdiction of this Court because of their contacts with the State of California.

PARTIES

13
14 3. Plaintiff Mavrix is a corporation incorporated and existing under the laws of
15 Florida, with offices located in Miami, Florida and West Hollywood, California.

16 4. Buzz Media, Inc. is a corporation incorporated and existing under the laws of
17 California with its principal place of business in West Hollywood, California.

18 5. Defendants www.hollywoodtuna.com, www.wwtdd.com,
19 www.celebslam.com, www.thesuperficial.com ("Website Defendants") are of business
20 form unknown to Plaintiff because (1) their public website refuses to identify who or what
21 entity controls and owns the Websites and they have blocked access to their registration
22 information with the public internet registrars (such as Go Daddy) by using a cloaked front
23 entity to register the domain names (Domains By Proxy, Inc.) in lieu of publicizing their
24 true names and addresses of their owners.

25 6. Website Defendants are all major internet celebrity magazine websites with
26 massive internet traffic from Californians and all Website Defendants operate a business
27 model of providing celebrity gossip pictures and news and/or blogs which attracts massive
28 users to view their sites; those massive users in turn attract advertisers who pay money to

1 Defendants for the users of the website who view the website content, including the content
2 at issue in this case, all of which was viewed by users in California.

3 7. The true names or capacities, whether individual, corporate or otherwise, of
4 the Defendants named herein as DOES 1 through 10, inclusive, are unknown to Plaintiffs,
5 who therefore sue said Defendants by such fictitious names. Plaintiffs will ask leave of
6 Court to amend this Complaint and insert the true names and capacities of said Defendants
7 when the same have been ascertained. Those DOE Defendants include at a minimum the
8 people, owners or companies that are behind the Website Defendants as well as any alter
9 egos of said Website Defendants or of Buzz Media, Inc.

10 8. Plaintiffs are informed and believes and, upon such, allege that each of the
11 Defendants designated herein as a "DOE" is legally responsible in some manner for the
12 events and happenings herein alleged, and that Plaintiffs' damages as alleged herein were
13 proximately caused by such Defendants.

14 **FACTS COMMON TO ALL COUNTS**

15 9. Mavrix is a prominent celebrity photography agency. As part of its business,
16 Mavrix takes candid photographs of celebrities. Mavrix then licenses those photographs to
17 its end customers, often popular publications like People or US Weekly.

18 10. In the marketplace, celebrity photos carry tremendous value. Mavrix has
19 licensed image sets of celebrities for over \$100,000 to major content outlets. Mavrix is in
20 the market of providing these images, on an exclusive and non-exclusive basis, to major
21 publication outlets. Celebrity content, celebrity gossip and celebrity photos are among the
22 most valued internet commodities to generate traffic to websites. And Defendants herein
23 have driven massive traffic to their websites – countless *tens of millions* of viewers across
24 the United States and California – in part due to the presence of the sought after and
25 searched-for celebrity images. All of this traffic translated to massive amounts of money
26 by advertisers who pay to have their ads placed on websites that generate significant traffic.
27 As such, content websites may effectively monetize the content on their websites by
28 securing eyeballs on the sites which translates to ad revenue; this is in distinction to

1 traditional pre-internet print media who could only monetize content by selling it to end
2 users. Consequently, Defendants are able to, and do have, national online magazine
3 located at each of their above-referenced websites which generates revenue directly from
4 views by people, including and specifically by way of views from California residents.
5 Indeed, Defendants' websites have specific advertisements on them, for which Defendants
6 are paid money, which advertisements specifically target Californians for products or
7 services.

8 11. On or about April 18th, 2008, Mavrix took over 50 different photographs of
9 pop star Stacey Ferguson AKA Fergie in the Bahamas with her boyfriend Josh Duhamel
10 (the "Photos"). A copy of images of the Photos is attached hereto as Exhibit 1. Mavrix
11 sought and received a federal copyright registration on the Photos within 90 days of their
12 first publication. A true and correct copy of the copyright certificate is attached hereto as
13 Exhibit 2. These Photos had substantial market value to Mavrix if they could be licensed
14 on an exclusive basis to a celebrity news publication as well as non-exclusive licenses.

15 12. Within days, on or about April 18, 2008, Defendants placed on their websites
16 various numbers of the Photos, reproducing the Photos and displaying those images for the
17 entire world to see and download for free if desired. Specifically,
18 www.hollywoodtuna.com reproduced and publicly displayed 32 of the Photos,
19 www.wwtdd.com reproduced and publicly displayed 35 of the Photos,
20 www.celebslam.com reproduced and publicly displayed 52 of the Photos, and
21 www.thesuperficial.com reproduced and publicly displayed at least 1 of the images.
22 Attached as Exhibits 3-6 are screen captures of the above-referenced infringements on each
23 of the above identified websites, respectively.

24 13. Defendant Buzz Media runs www.buzznet.com and a network of websites. It
25 encourages other websites to join its network, which it boasts is massive because by joining
26 those websites will secure more traffic and hence more ad revenue. On information and
27 belief, at the time of the infringements one or more of the Website Defendants were being
28

1 hosted by Buzznet on its servers, rendering Buzznet also liable for reproducing and
2 publicly displaying the Photos.

3 14. Mavrix attempted to resolve these issues with Buzznet. The parties entered an
4 Agreement in December 2008. A true and correct copy of the Agreement is attached as
5 Exhibit 7. Under the Agreement, by which Buzznet would subscribe to Mavrix's content
6 for \$3,800 per month for 37 months and Mavrix would allow up to 10 websites part of the
7 Buzznet network to access and display the Mavrix content of celebrity photographs (the
8 "Licensee Internet Sites"). See Section 3.1. The Defendant Websites were part of the 10
9 identified Licensee Internet Sites under the Agreement. See Schedule 1. The Agreement
10 specifically stated that only subject to full performance of the Agreement, Mavrix would
11 not file suit against Buzznet or any of the Licensee Internet Sites for unlawful prior display
12 of content and that upon Buzznet's full performance under the Agreement, then Mavrix
13 would release and discharge Buzznet and any of its specified Licensee Internet Sites.

14 15. Buzznet has not performed under the Agreement and instead has breached the
15 Agreement by failing to remit payments as required starting in late 2010, a full 13 months
16 at least before the expiration of the Agreement. As a result of that breach, this lawsuit
17 follows for the copyright infringement listed above as well as for breach of contract against
18 all Defendants, none of whom have been released from their unlawful copyright violations
19 that first occurred in April 2008.

20 **FIRST CLAIM FOR RELIEF**

21 **(Copyright Infringement, 17 U.S.C. § 501 Against All Defendants)**

22 16. Plaintiff Mavrix incorporates here by reference the allegations in paragraphs 1
23 through 15 above.

24 17. Mavrix is the owner of all rights, title and interest in the copyrights to the
25 Photos, which substantially consist of material wholly original with Plaintiff and which are
26 copyright subject matter under the laws of the United States. Mavrix has complied in all
27 respects with the Copyright Act and all of the laws of the United States governing
28 copyrights. The Photos have been registered with the United States Copyright Office.

1 18. Defendants have directly, vicariously and/or contributorily infringed, and
2 unless enjoined, will continue to infringe Mavrix's copyrights by reproducing, displaying,
3 distributing and utilized the Photos for purposes of trade violation of 17 U.S.C. § 501 *et*
4 *seq.*

5 19. Defendants have willfully infringed, and unless enjoined, will continue to
6 infringe Mavrix' copyrights by knowingly reproducing, displaying, distributing and
7 utilizing the Photos for purposes of trade. Indeed, Defendants have been previously placed
8 on notice by Mavrix about the illegal nature of Defendants' acts.

9 20. Defendants have received substantial benefits in connection with the
10 unauthorized reproduction, display, distribution and utilization of the Photos for purposes
11 of trade, including by increasing the traffic to their websites and thus increasing the
12 advertising fees generated by Defendant Websites.

13 21. All of the Defendant's acts are and were performed without the permission,
14 license or consent of Mavrix.

15 22. The said wrongful acts of Defendants have caused, and are causing, great
16 injury to Mavrix, which damage cannot be accurately computed, and unless this Court
17 restrains Defendants from further commission of said acts, Mavrix will suffer irreparable
18 injury, for all of which it is without an adequate remedy at law. Accordingly, Mavrix seeks
19 a declaration that Defendants are infringing Mavrix's copyrights and an order under 17
20 U.S.C. § 502 enjoining Defendants from any further infringement of Mavrix' copyrights.

21 23. As a result of the acts of Defendants alleged herein, Mavrix has suffered and is
22 suffering substantial damage to its business in the form of diversion of trade, loss of profits,
23 injury to goodwill and reputation, and the dilution of the value of its rights, all of which are
24 not yet fully ascertainable. Defendants have also unlawfully profited from their
25 infringement, which amounts of actual damages are not exactly ascertainable either absent
26 discovery.

27 24. Because of the willful nature of the copyright infringement by each of the
28 Defendants, Mavrix is entitled to an award of statutory damages as follows:

(a) As against Defendant www.hollywoodtuna.com who reproduced and publicly displayed 32 of the Photos for an amount up to \$4,800,000 (\$150,000 x 32);

(b) As against Defendant www.wwtdd.com who reproduced and publicly displayed 35 of the Photos for an amount up to \$5,250,000 (\$150,000 x 35);

(c) As against Defendant www.celebslam.com who reproduced and publicly displayed 52 of the Photos for an amount up to \$7,800,000 (\$150,000 x 52);

(d) As against Defendant www.thesuperficial.com who reproduced and publicly displayed at least 1 of the Photos for an amount up to \$150,000;

(e) As against Buzznet who on information and belief hosted the above Defendant Websites and so itself directly and/or contributorily or vicariously infringed the Photos by reproducing them also on Buzznet servers and publicly displaying all 52 Photos up for an amount up to \$7,800,000 (\$150,000 x 52);

25. As well as statutory damages, Mavrix is entitled to its attorneys' fees.

SECOND CLAIM FOR RELIEF

(Breach of Contract Against Buzznet)

26. Plaintiff Mavrix incorporates here by reference the allegations in paragraphs 1 through 15 above.

27. Mavrix entered an Agreement with Buzznet.

28. Mavrix has performed all of its obligations under the Agreement.

29. Buzznet has breached by failing to remit the required monthly payments.

30. Mavrix has not consented to the breach by Buzznet, nor has Buzznet cured the breach despite request.

31. Mavrix is entitled to damages in the amount of \$3,800 per month for the 13 unpaid months, totaling \$49,400. Mavrix is also entitled to an award of attorneys fees.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests judgment against Defendants as follows:

1. The Defendants, their officers, agents, servants, employees, representatives, and attorneys, and all person in active concert or participation with them, be permanently enjoined from designing, copying, reproducing, displaying, promoting, advertising, distributing, or selling, or any other form of dealing or transaction in, any and all advertising and promotional materials, print media, signs, Internet web sites, or any other media, either now known or hereafter devised, bearing any design or mark which infringe, contributorily infringe, or vicariously infringe upon Plaintiff Mavrix' rights in the Photos.

2. Defendants be held liable to Plaintiff in statutory damages for copyright infringement, including willful infringement, in accordance with 17 U.S.C. §§ 504(a)(2) & (c) and for costs, interest and reasonable attorney's fees pursuant to 17 U.S.C. § 505.

3. An accounting be made for all profits, income, receipts or other benefit derived by Defendants from the reproduction, copying, display, promotion, distribution or sale of products and services, or other media, either now known or hereafter devised, that improperly or unlawfully infringes upon Plaintiff's copyrights pursuant to 17 U.S.C. §§ 504 (a)(1) & (b).

4. Requiring Defendants to account for and pay over to Plaintiff all profits derived by Defendants from their acts of copyright infringement and to reimburse Plaintiff for all damages suffered by Plaintiff by reasons of Defendant's acts, pursuant to 17 U.S.C. §§ 504 (a)(1) & (b).

5. Actual damages for copyright infringement pursuant to 17 U.S.C. §§ 504 (a)(1) & (b).

6. For a determination of Buzznet's unlawful breach and for damages for Buzznet's breach of contract;

7. For attorneys' fees and costs, and prejudgment interest;

1 8. That Plaintiff be awarded any such other and further relief as the Court
2 may deem just and appropriate.

3
4 Dated: March 4, 2011

ONE LLP

5
6 By: 

Peter R. Afrasiabi, Attorney for Plaintiff,
Mavrix Photo, Inc.

DEMAND FOR JURY TRIAL

Plaintiff Mavrix Photo, Inc. hereby demands trial by jury of all issues so triable under the law.

Dated: March 4, 2011

ONE LLP

By: 

Peter R. Afrasiabi, Attorney for Plaintiff,
Mavrix Photo, Inc.

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Otis D. Wright II and the assigned discovery Magistrate Judge is Paul Abrams.

The case number on all documents filed with the Court should read as follows:

CV11- 1910 ODW (PLAx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☒ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☐ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☐ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

ORIGINAL

Name & Address:
 Peter R. Afrasiabi, Esq. (Bar No. 193336)
 pafrasiabi@onellp.com
 ONE LLP
 4000 MacArthur Blvd., West Tower, Suite 1100
 Newport Beach, CA 92660 T: 949-502-2870

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

Mavrix Photo, Inc., a Florida corporation,

CASE NUMBER

PLAINTIFF(S)

CV11-01910 ODW(PLA)

v.

Buzz Media, Inc.; www.hollywoodtuna.com, a
 business form unknown; www.wwtdd.com, a business
 form unknown; [see Attachment A]

SUMMONS

DEFENDANT(S).

TO: DEFENDANT(S): BUZZ MEDIA, INC.; WWW.HOLLYWOODTUNA.COM, [See Attachment A]

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Peter R. Afrasiabi, whose address is 4000 MacArthur Boulevard, West Tower, Suite 1100, Newport Beach, CA 92660. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

Dated: March 4, 2011

By: _____

Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

ATTACHMENT A

MAVRIX PHOTO, INC., a Florida corporation,

v.

BUZZ MEDIA, INC.; WWW.HOLLYWOODTUNA.COM, a business form unknown;
WWW.WWTDD.COM, a business form unknown; WWW.CELEBSLAM.COM, a
business form unknown; WWW.THESUPERFICIAL.COM, a business form unknown;
and DOES 1-10 INCLUSIVE,

Defendants.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

COPY

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) Mavrix Photo, Inc., a Florida corporation		DEFENDANTS Buzz Media, Inc.; www.hollywooduna.com, business form unknown; www.vvodd.com, a business form unknown; www.ccelebslam.com, a business form unknown; www.thesuperficial.com, a business form unknown; Does 1-10	
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Peter R. Afrasiabi (pafrasiabi@onellp.com) ONE LLP 4000 MacArthur Blvd., West Tower, Suite 1100, Newport Beach, CA 92660		Attorneys (If Known)	

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table border="1" style="width:100%"><tr><th></th><th>PTF</th><th>DEF</th><th></th><th>PTF</th><th>DEF</th></tr><tr><td>Citizen of This State</td><td><input type="checkbox"/> 1</td><td><input type="checkbox"/> 1</td><td>Incorporated or Principal Place of Business in this State</td><td><input type="checkbox"/> 4</td><td><input type="checkbox"/> 4</td></tr><tr><td>Citizen of Another State</td><td><input type="checkbox"/> 2</td><td><input type="checkbox"/> 2</td><td>Incorporated and Principal Place of Business in Another State</td><td><input type="checkbox"/> 5</td><td><input type="checkbox"/> 5</td></tr><tr><td>Citizen or Subject of a Foreign Country</td><td><input type="checkbox"/> 3</td><td><input type="checkbox"/> 3</td><td>Foreign Nation</td><td><input type="checkbox"/> 6</td><td><input type="checkbox"/> 6</td></tr></table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
	PTF	DEF		PTF	DEF																				
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4																				
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5																				
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. ORIGIN (Place an X in one box only.)
☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify): ☐ 6 Multi-District Litigation ☐ 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check 'Yes' only if demanded in complaint.)
CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT:** \$ To be determined.

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
Copyright infringement under The U.S. Copyright Act, 17 U.S.C. Sections 101 et seq.

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE/PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input checked="" type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (13950) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RS1 (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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CV11-01910

FOR OFFICE USE ONLY: Case Number:

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

- (a) List the County in this District: California County outside of this District: State if other than California; or Foreign Country, in which EACH named plaintiff resides.
☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District: State, if other than California; or Foreign Country
	Florida

- (b) List the County in this District: California County outside of this District: State if other than California; or Foreign Country, in which EACH named defendant resides.
☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District: State, if other than California; or Foreign Country
	Los Angeles

- (c) List the County in this District: California County outside of this District: State if other than California; or Foreign Country, in which EACH claim arose.
Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District: State, if other than California; or Foreign Country
	Los Angeles, Florida

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER): _____

Date March 4, 2011

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))